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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,097	04/06/2001	Nobuaki Ono	205447US2	5017
22850	7590	11/04/2003	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ALLEN, DENISE S	
			ART UNIT	PAPER NUMBER
			2872	
DATE MAILED: 11/04/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/827,097	ONO ET AL. <i>W</i>
Examiner	Art Unit	
Denise S Allen	2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 27 June 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 06 April 2001 and 27 June 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10-12 . 6) Other: _____ .

DETAILED ACTION

Information Disclosure Statement

The information disclosure statements (IDS) submitted on November 25, 2002 (paper #12), February 12, 2003 (paper #11), and March 14, 2003 (paper #10) were filed before the mailing date of the first Office Action on March 27, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, these information disclosure statements are being considered by the examiner.

The information disclosure statements (IDS) submitted on June 9, 2003 (paper #13), June 27, 2003 (paper #15), and July 14, 2003 (paper #14) were filed after the mailing date of the first Office Action on March 27, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, these information disclosure statements are being considered by the examiner.

Drawings

The drawings were received on June 27, 2003. These drawings are acceptable to the Examiner.

In light of the Applicant's amendments to the drawings and specification on June 27, 2003 (paper #16), the objections to the drawings in the Office Action on March 27, 2003 (paper #9) have been withdrawn.

Response to Amendment

In light of the Applicant's amendment to the abstract on June 27, 2003 (paper #16), the objection to the abstract in the Office Action on March 27, 2003 (paper #9) has been withdrawn.

In light of the Applicant's amendment to the specification on June 27, 2003 (paper #16), the objections to the specification in the Office Action on March 27, 2003 (paper #9) have been withdrawn.

In light of the Applicant's amendment to claims 1, 2, and 8 – 15 on June 27, 2003 (paper #16), the objections to claims 1 – 15 in the Office Action on March 27, 2003 (paper #9) have been withdrawn.

Response to Arguments

In the Applicant's response on June 27, 2003 (paper #16), the Applicant argues with respect to claims 1, 12, and 14, that Naiki et al fails to teach or reasonable suggest selecting from a plurality of holding and fixing locations for the light-source part as recited in amended claims 1, 12, and 14 (pages 22 - 24). This argument has been fully considered and not found to be persuasive.

The examiner respectfully disagrees with the Applicant's argument. While Naiki et al does not specifically teach the selection of the location of the light-source part, the Examiner has shown in the rejections of claim 2 in the Office Action dated March 27, 2003 (paper #9) that it would have been obvious to adjust or select the location of the light-source part in order to correct for the inherent shift in beam position caused by the cover member (pages 6 – 7).

The Applicant further argues with respect to claims 8, 13, and 15, that Naiki et al fails to teach or reasonable suggest changing the mounting position of the second imaging optical system by selecting from a plurality of mounting positions as recited in amended claims 8, 13, and 15 (pages 22 - 24). This argument has been fully considered and not found to be persuasive.

The examiner respectfully disagrees with the Applicant's argument. While Naiki et al does not specifically teach the selection of the location of the second imaging optical system, the Examiner has shown in the rejections of claims 8 and 13 in the Office Action dated March 27, 2003 (paper #9) that it would have been obvious to adjust or select the location of the second imaging optical system in order to correct for the inherent shift in beam position caused by the cover member (pages 7 – 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naiki et al. Regarding claims 1 and 12, Naiki et al teaches an optical scanning device (Figure 7) comprising: a light source (Figure 8 reference 1); a coupling lens (reference 3) coupling a beam emitted from said light source (Figure 13A); a light deflector (Figure 7 reference 31) deflecting the beam from said coupling lens (Figure 7) at a uniform angular velocity (column 7 lines 23 – 25); a line-image imaging optical system (reference 30) disposed between said coupling lens and light deflector, and causing the beam to image a line image long along main scanning directions on or in the vicinity of a deflection reflective surface of said light deflector (Figures 13A and 13B); a scanning and imaging optical system (Figure 7 reference 34) causing the beam deflected by said light deflector to image a beam spot (Figures 13A and 13B) on a medium (reference 37) to be scanned; and an optical housing (Figure 7 reference 25) in which said light source,

coupling lens, light deflector, line-image imaging optical system and scanning and imaging optical system are disposed, and contained, and wherein a plurality of holding and fixing locations (Figures 8 – 11 references 7a and 10a) for holding and fixing a light-source part (references 5 and 20) comprising said light source and coupling lens are provided in at least one of said light-source part and optical housing.

Regarding claims 1, 2, and 12, Naiki et al teaches an image forming apparatus as described above. Naiki et al further teaches said light deflector is covered by a cover (column 7 lines 57 – 58); said cover has a window for the beam to be incident on and exit from said light deflector (Figure 7 reference 35); and a transparent cover member is mounted on said window (column 7 lines 58 – 61). Naiki et al does not teach said holding and fixing locations are determined so that, by selectively using said holding and fixing locations, the beam deflected by said light deflector passes through said scanning and imaging optical system approximately at the same position whether or not said transparent cover member is mounted.

Based on Snell's Law, it is inherent that the transparent cover member, when it is mounted in the window of the cover, shifts the position of the beam relative to the beam's position when the transparent cover member is not mounted in the window of the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to selectively use the holding and fixing locations to adjust the position of the beam of Naiki et al for when the transparent cover member is mounted and for when it is not mounted in order to maintain the beam position on the medium to be scanned.

Regarding claim 3, Naiki et al teaches the light-source part and the line-image optical system are disposed on a common member (Figure 7 reference 25).

Regarding claim 4, Naiki et al teaches the coupling lens and line-image imaging optical system are formed integrally (Figure 7).

Regarding claim 5, Naiki et al teaches the light-source part comprises a plurality of light-emitting sources (Figure 9 references 1 and 1').

Regarding claims 6 and 7, Naiki et al teaches the beam emitted from the light-source part comprises an approximately parallel beam (Figure 9 the beam exiting reference 3 is approximately parallel).

Regarding claims 8 – 11 and 13, Naiki et al teaches an optical scanning device (Figure 7) comprising a light source unit (reference 4) emitting a beam; a first imaging optical system (reference 30) causing the beam emitted by said light-source unit to image at a predetermined position (Figures 13A and 13B); a deflector (Figure 7 reference 31) receiving the beam from said first imaging optical system and performing scanning with the beam (column 7 lines 44 – 48); and a second imaging optical system (Figure 7 reference 34) causing the beam from said deflector to image a beam spot (Figures 13A and 13B) on a surface to be scanned (reference 37), and wherein: said light-source unit, first imaging optical system, deflector, and second imaging optical system are mounted in a box housing (Figure 7 reference 25); a transparent member (reference 35) of an approximately parallel plate is disposed detachably so as to be located between said first imaging optical system and deflector and between said deflector and second imaging optical system. Naiki et al does not teach the mounting position of said second imaging optical system is changeable according to whether or not said transparent member is provided.

Based on Snell's Law, it is inherent that the transparent cover member, when it is mounted in the window of the cover, shifts the position of the beam relative to the beam's

position when the transparent cover member is not mounted in the window of the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to change the mounting position of the second imaging optical system along the main scanning direction and along the optical axis direction to adjust the position of the beam of Naiki et al for when the transparent cover member is mounted and for when it is not mounted in order to maintain the beam position on the medium to be scanned.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda in view of Naiki et al.

Kuroda teaches an image forming apparatus (Figure 9) comprising: an optical scanning device (references 10, 15, 20, and 25) scanning a surface of a photosensitive body (reference 30) with a beam (line with arrowhead) so as to form a latent image on said photosensitive body; said photosensitive body; a developing device (reference 32) developing the latent image so as to form a visible image; a transferring device (reference 33) transferring the visible image to a sheet recording medium (reference P); and a fixing device (reference 44) fixing the visible image onto the sheet recording medium. Kuroda does not teach the optical scanning device as claimed.

Naiki et al teaches the optical scanning device as described above. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the optical scanning device of Naiki et al in place of the optical scanning device in the image forming apparatus of Kuroda in order to speed up the image forming process by using multibeam scanning.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise S Allen whose telephone number is (703) 305-7407. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A Dunn can be reached on (703) 305-0024. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Denise S Allen
Examiner
Art Unit 2872

Audrey Chang
Primary Examiner
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dsa

